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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,062	05/12/2005	Mauri Kangas	886A.0010.U1(US)	2391
29683 7590 07/11/2007 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER AU, GARY	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 07/11/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/535,062

Applicant(s)

KANGAS, MAURI

Examiner

Gary Au

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12, 14-17 and 23-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12, 14-17 and 23-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/23/2007 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-10, 12, 14-17 and 23-49 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1-3, 5, 6, 10, 23, 25, 26, 41, 42, 44, 45 and 49 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application No. 2003/0211856 (Zilliacus).

As to claims 1, 10 and 23, Zilliacus teaches a method of configuring a digital broadcast receiver to receive individually addressed messages through a digital broadcast network, wherein said messages are selected from the group of: messages derived from a different network ([0055], wherein Zilliacus discloses using mobile stations to send text or digital photographs, thus using a wireless network), and messages emanating from a different network ([0055], wherein Zilliacus discloses using mobile stations to send text or digital photographs, thus using a wireless network), the method comprising: sending to said digital broadcast receiver through said digital broadcast network message detection data that allows said digital broadcast receiver to identify messages broadcast through said digital broadcast network with at least one individual address corresponding to said digital broadcast receiver ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002), and storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002), wherein said message detection data is selected from a group comprising: message detection data including identity data corresponding to an individual identification code stored in said digital broadcast receiver ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002).

As to claims 2, 25 and 41, Zilliacus teaches said messages comprises MMS messages ([0055]).

As to claims 3 and 42, Zilliacus inherently teaches said digital broadcast receiver comprises a set top box ([0055], wherein Zilliacus discloses a television and it is common to have a set top box with a television).

As to claims 5, 26 and 44, Zilliacus teaches identifying said identity data and selectively storing in said digital broadcast receiver said detection data corresponding to said stored identity data ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002).

As to claims 6 and 45, Zilliacus teaches at least one individual address corresponds to an individual identification code of said digital broadcast receiver ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002).

As to claim 49, Zilliacus teaches said digital broadcast receiver is integrated into a display device that displays a video portion from a message received by the digital broadcast receiver ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 7, 9, 12, 14-17, 24, 27-40, 43, 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2003/0211856 (Zilliagus) as applied to claims 1, 10 and 23 above, and further in view of US Patent Application No. 2004/0157584 Bensimon et al. (Bensimon).

Considering claims 4, 24, 31, 36 and 43, Zilliagus teaches the system as described above. However, Zilliagus fails to teach said digital broadcast receiver has said substantially unique key stored therein, and said method includes decrypting said message detection data with said key at said digital broadcast receiver and selectively storing said decrypted data in said broadcast receiver.

In an analogous art, Bensimon teaches said digital broadcast receiver has said substantially unique key stored therein, and said method includes decrypting said message detection data with said key at said digital broadcast receiver and selectively storing said decrypted data in said broadcast receiver ([0062]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Zilliagus's system to include said digital broadcast receiver has said substantially unique key stored therein, and said method includes decrypting said message detection data with said key at said digital broadcast receiver

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and selectively storing said decrypted data in said broadcast receiver, as taught by Bensimon, for the advantage of providing security to the data sent.

Considering claims 7, 16, 27, 33, 38 and 46, Zilliacus teaches the system as described above. However, Zilliacus fails to teach a decryption key corresponding to said address, said decryption key being for decoding encrypted messages sent to said address.

In an analogous art, Bensimon teaches a decryption key corresponding to said address, said decryption key being for decoding encrypted messages sent to said address ([0062]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Zilliacus's system to include a decryption key corresponding to said address, said decryption key being for decoding encrypted messages sent to said address, as taught by Bensimon, for the advantage of providing security to the data sent.

Considering claims 9, 39, 40 and 48, Zilliacus teaches the message detection data includes a plurality of address associated with an individual identification code of said digital broadcast receiver ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002). However, Zilliacus fails to teach decryption keys associated with individual ones of said addresses.

In an analogous art, Bensimon teaches decryption keys associated with individual ones of said addresses ([0062]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Zilliacus's system to include decryption keys associated with individual ones of said addresses, as taught by Bensimon, for the advantage of providing security to the data sent.

Considering claims 12, 28 and 34, Zilliacus teaches a method of configuring a digital broadcast receiver to receive individually addressed messages through a digital broadcast network, wherein said messages are selected from the group of: messages derived from a different network ([0055], wherein Zilliacus discloses using mobile stations to send text or digital photographs, thus using a wireless network), and messages emanating from a different network ([0055], wherein Zilliacus discloses using mobile stations to send text or digital photographs, thus using a wireless network), the method comprising: sending to said digital broadcast receiver through said digital broadcast network message detection data that allows said digital broadcast receiver to identify messages broadcast through said digital broadcast network with at least one individual address corresponding to said digital broadcast receiver ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002), and storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002); allow said digital broadcast receiver to identify messages broadcast



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through said digital broadcast network with at least one individual address corresponding to said digital broadcast receiver, and sending said message detection data to said digital broadcast receiver through said digital broadcast network for storage in said digital broadcast receiver to detect messages addressed individually thereto ([0055]-[0059], wherein Zilliacus has to have an address to send to the display 1002). However, Zilliacus fails to disclose receiving specific data corresponding to a substantially unique key associated with and individually characterizing said digital broadcast receiver.

In an analogous art, Bensimon teaches receiving specific data corresponding to a substantially unique key associated with and individually characterizing said digital broadcast receiver ([0062]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Zilliacus's system to include receiving specific data corresponding to a substantially unique key associated with and individually characterizing said digital broadcast receiver, as taught by Bensimon, for the advantage of providing security to the data sent.

Considering claims 14, 32, 37, see the rejection of claim 5.

Considering claims 15, 29, 30, 35, see the rejection of claim 2.

Considering claim 17, see the rejection of claim 6.

7. Claims 8 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2003/0211856 (Zilliacus) as applied to claims 1 and 10 above, and further in view of US Patent No. 6,993,327 (Mathis).

Considering claims 8 and 47, Zilliacus teaches the system as described above but fails to disclose a group address for a message multicast through the network.

In an analogous art, Mathis teaches a group address for a message multicast through said digital broadcast network (col. 6 lines 1-10).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Zilliacus to include a group address for a message multicast through said digital broadcast network, as taught by Mathis, for the advantage of reducing network traffic (col. 1 line 52 – col. 2 line 9).

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Au whose telephone number is (571) 272-2822. The examiner can normally be reached on 8am-5pm Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GA



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